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Page 1 of: 4 Montreal, Quebec Canada H3B 4W5  
Attention: U.S.P.T.O. Tel. (514) 954-1500  
Mail Stop: - After Final - Fax (514) 954-1396  
Examiner: Christopher P. GREY  
From: Sanro Zlobec, Reg. No. 52,535  
Application No.: 09/963,487 Date: May 29, 2007  
Reply to Montreal file no.: 86655-15 Time:

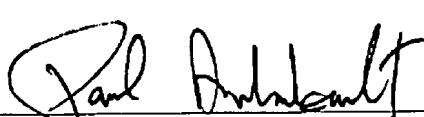
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MAY 29 2007

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>		Docket No. <b>86655-15</b>	
Applicant(s): Steve ROCHON et al.			
Application No. <b>09/963,487</b>	Filing Date <b>September 27, 2001</b>	Examiner <b>Christopher P. GREY</b>	Group Art Unit <b>2616</b>
Invention: METHOD AND SYSTEM FOR CONGESTION AVOIDANCE IN PACKET SWITCHING DEVICES			
<b>COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES &amp; PETITION FOR EXTENSION OF TIME</b> <small>(Identify type of correspondence)</small> I hereby certify that this _____ is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (571) 273-8300 ) on <u>May 29, 2007</u> <small>(Date)</small>			
<u>Paul W. Archambault</u> <small>(Typed or Printed Name of Person Signing Certificate)</small>  <small>(Signature)</small>			
<small>Note: Each paper must have its own certificate of mailing.</small>			

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No.

86655-15

**RECEIVED****CENTRAL FAX CENTER**

In Re Application Of: Steve ROCHON et al.

**MAY 29 2007**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/963,487	September 27, 2001	Christopher P. GREY	28291	2616	8843

Invention: **METHOD AND SYSTEM FOR CONGESTION AVOIDANCE IN PACKET SWITCHING DEVICES****COMMISSIONER FOR PATENTS:**

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of December 29, 2006 in the above-identified application.

*Date*

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated December 29, 2006 finally rejecting Claim(s) 1-4, 25-37, 40-51, 53-55, 57 and 58

Applicant(s) hereby request(s) an extension of time of (check desired time period):

One month       Two months       Three months       Four months       Five months

from: \* March 29, 2007      until: May 29, 2007

*Date*

\* The one month extension of time fee of \$60.00 was already paid on April 18, 2007

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$250.00

Fee for Extension of Time: \$225.00 - \$60.00 = \$165.00

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$415.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

- A check in the amount of \_\_\_\_\_ for the Notice of Appeal and extension of time is enclosed.
- Please charge Deposit Account No. 19-2550 in the amount of \$415.00
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-2550 **05/29/2007 NNGUYEN1 00000052 192550 09963487**
- |                                                                                               |                           |
|-----------------------------------------------------------------------------------------------|---------------------------|
| <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. | 01 FC:2401      250.00 DA |
| <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. | 02 FC:2252      165.00 DA |
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 19-2550
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

P29SMALL/REV07

MAY 29 2007

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
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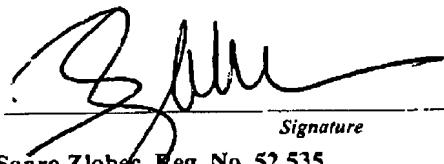
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09/963,487	September 27, 2001	Christopher P. GREY	28291	2616	8843

Invention: METHOD AND SYSTEM FOR CONGESTION AVOIDANCE IN PACKET SWITCHING DEVICES

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

Dated: May 29, 2007

Saino Zlobec Reg. No. 52,535  
**SMART & BIGGAR**  
 1000 De La Gauchetière Street West  
 Suite 3300  
 Montreal, Quebec H3B 4W5  
 CANADA

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CC: